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November 30, 2023

Via ECF:

The Honorable Dale E. Ho, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square, Courtroom 905
New York, NY 10007

Re: **Lauriano v. Lucky Chicken Corp. et. al.**
Civil Docket No.: 1:23-cv-09028-DEH

Dear Judge Ho:

We represent the Plaintiff in the above-referenced matter and we respectfully submit this letter motion requesting an adjournment of the Initial Conference set for December 7, 2023, at 02:30 PM as Defendants have not yet appeared in this action. We submit this letter motion in lieu of the joint letter and case management plan that are due today, which we are unable to complete without Defendants' participation.

Plaintiff commenced this Action on October 13, 2023 (Dkt. No. 1), and the corporate Defendants were each served on October 31, 2023 via the New York Secretary of State (Dkt. No. 7). Accordingly, both corporate Defendants were required to answer, appear, or retain counsel to do so on their behalf by November 21, 2023, and to date, have not done so.

However, our office is still in the process of serving individual Defendants Pinder Paul and Rajinder Paul. Our process server has already made an unsuccessful attempt of service, but we recently found an updated address for the individual Defendants and our server has advised that another attempt to serve Defendants is being made today.

Based on the foregoing, we believe that it is unlikely that anyone will be appearing for Defendants at the Initial Conference set for December 7, 2023. Therefore, we believe it may be in the best interests of judicial economy that the Initial Conference be adjourned for approximately 30 days to a date convenient for the Court, at which point we anticipate that all Defendants will have been served and their time to respond to the Complaint will have passed. If this request is granted, we would ask that the time to file the joint letter and case management plan be extended accordingly.

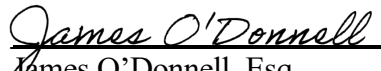
A granting of this adjournment request will allow Plaintiff to serve all Defendants and to afford Defendants ample opportunity to appear or respond so that this case may be adjudicated on its

merits and for any anticipated defense counsel to have sufficient time to appear, enter an appearance and/or interpose an answer to the complaint herein.

In the event that the Initial Conference is not adjourned, our office remains available and intends to appear at said conference. This is the first request for an adjournment of the Initial Conference.

We thank the Court for its consideration on this matter and we remain available to provide any additional information.

Respectfully submitted,


James O'Donnell, Esq.

CC (via U.S. Mail):

PINDER PAUL and RAJINDER PAUL
2153 75th Street Apt. 1, East Elmhurst, NY 11370

Application GRANTED. The initial pretrial conference scheduled for December 7, 2023, is adjourned to **January 4, 2024, at 10:00 a.m. (E.T.)**. The parties shall dial in by calling (646) 453-4442 and entering the Phone Conference ID: 667 592 109, followed by the pound (#) sign. The parties shall file a joint letter and proposed case management plan by **December 28, 2023**, following the instructions set forth at ECF No. 8. If Defendants have not appeared by December 28, 2023, Plaintiff shall file a letter updating the Court on how it intends to proceed.

The Clerk of Court is respectfully requested to terminate the motion at ECF No. 9.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: December 1, 2023
New York, New York